## UNITED STATES OF AMERICA BEFORE THE FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATIVE COMPLAINT
FOR CIVIL MONEY PENALTY
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FDA Docket: 2003H-0432
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By motion filed April 7, 2004 Complainant, The Center for Devices and Radiological Health, seeks leave to amend its Motion for Partial Summary Decision, filed April 2, 2004 in order to submit a proposed draft order as required by 21 C.F.R. § 17.32 (which was previously modified for purposes of this proceeding). Upon consideration of the Hearing Schedule in this matter, it appears that the time for the filing any response to the motion seeking leave to amend, should be shortened to nine days. Accordingly;

<u>It is ORDERED</u>, that any response to Complainant's motion seeking leave to amend its Motion for Partial Summary Decision must be filed on or before April 16, 2004.

And it is further ORDERED that, if necessary, the due date for responses to the Motion for Partial Summary Decision will be established in a subsequent order.

Dated this \_\_\_\_ day of April, 2004.

/s/ Daniel J. Davidson
Daniel J. Davidson
Administrative Law Judge